

### **The Status of the Claims**

1. (Currently Amended) A computer implemented method for segmenting a population, comprising:

~~defining, with a base segmentation tree defining module, a base level population segmentation tree associated with a base level data set [[at]] having a first top level node having and a base precision with a base segmentation tree defining module, the base level segmentation tree having a base level variable at each subsequent base level node, each base level variable having a corresponding base level value;~~

~~defining a set of alternative level variables with an alternative level variable defining module, the set of alternative level variables associated with an alternative level data set [[at]] having a second top level node having and an alternative precision different than the base level data set, and the alternative level variables to be used useable as substitutes in subsequent nodes of the base level population a substitute level segmentation tree to create a substitute level tree having a substitute precision different from the base precision;~~

~~determining generating, with a substitute split value determining module, substitute split values for each alternative level variable in each subsequent node of the substitute level tree based on using the base level data set at the first top level node and the alternative level data set at the second top level node so that each substitute split value in the substitute level tree has a percentage split that is equal to each corresponding base level value in the base level segmentation tree to enable up and down shifting between levels of the base precision and the substitute precision, the substitute split value determining module to calculate the substitute split values that maintain a percentage split value of the substitute level tree that is equal to a percentage split value of the base level population segmentation tree; and[[;]]~~

~~outputting the substitute level tree having the substitute split values to a user.~~

2. (Original) A method according to claim 1, further including determining whether a level shift is required.

3. (Original) A method according to claim 2, further including determining segments using the base level tree when no level shift is required.

4. (Original) A method according to claim 2, further including determining segments using another level when a level shift is required.
5. (Previously Presented) A method according to claim 1, wherein up and down shifting between levels of the base precision and the substitute precision comprises determining at least one segment using the substitute level tree.
6. (Canceled)
7. (Original) A method according to claim 1, wherein the split values are for income and age.
8. (Original) A method according to claim 1, further including verifying the results of a segment determination when using substitute values.

9-16. (Canceled)

17. (Currently Amended) A software system to execute on a computer system for segmenting a population, comprising:

a base segmentation tree defining module for defining a base level ~~population segmentation tree associated with a base level data set [[at]] having a first top level node having and a base precision, the base level segmentation tree having a base level variable at each subsequent base level node, each base level variable having a corresponding base level value;~~

an alternative level variable defining module for defining a set of alternative level variables associated with an alternative level data set [[at]] ~~having a second top level node having and an alternative precision different than the base level data set, the alternative level variables and useable to be used as substitutes in subsequent nodes of the base level population segmentation tree to create~~ a substitute level ~~segmentation~~ tree having a substitute precision different from the base precision; and

a substitute split value determining module for determining substitute split values for each ~~alternative level variable in each subsequent node of the substitute level tree based on using the base level data set at the first top level node and the alternative level data set at the second top level node so that each substitute split value in the substitute level tree has a percentage split that is equal to each corresponding base level value in the base level segmentation tree to enable up and down shifting between levels of the base precision and the substitute precision, the substitute split value determining module to calculate the substitute split values that maintain a percentage split value of the substitute level tree that is equal to a percentage split value of the base segmentation tree.~~

18. (Original) A software system according to claim 17, further including determining whether a level shift is required.

19. (Original) A software system according to claim 18, further including determining segments using the base level tree when no level shift is required.

20. (Original) A software system according to claim 18, further including determining segments using another level when a level shift is required.

21. (Previously Presented) A software system according to claim 17, wherein up and down shifting between levels of the base precision and the substitute precision comprises determining at least one segment using the substitute level tree.

22. (Canceled)

23. (Original) A software system according to claim 17, wherein the split values are for income and age.

24. (Original) A software system according to claim 17, further including a module for verifying the results of a segment determination when using substitute values.

25. (Currently Amended) A machine accessible medium having instructions stored thereon that, when executed, cause a machine to, at least:

define a base level ~~population~~ segmentation tree associated with a base level data set [[at]] having a first top level node having and a base precision, the base level segmentation tree having a base level variable at each subsequent base level node, each base level variable having a corresponding base level value;

define a set of alternative level variables associated with an alternative level data set [[at]] having a second top level node having and an alternative precision different than the base level data set, and the alternative level variables to be used as ~~useable~~ as substitutes in the nodes of ~~the base level population segmentation tree to create~~ a substitute level tree having a substitute precision; and

~~determine generate~~ substitute split values for each alternative level variable in each subsequent node of the substitute level tree ~~based on~~ using the base level data set ~~at the first top level node~~ and the alternative level data set ~~at the second top level node so that each~~ substitute split value in the substitute level tree has a percentage split that is equal to each corresponding base level in the base level segmentation tree to enable up and down shifting between levels of the base precision and the substitute precision ~~by calculating the substitute split values to maintain a percentage split value of the substitute level tree that is equal to a percentage split value of the base level population segmentation tree~~.

26. (Previously Presented) A machine accessible medium as defined in claim 25 having instructions stored thereon that, when executed, cause the machine to determine whether a level shift is required.

27. (Previously Presented) A machine accessible medium as defined in claim 26 having instructions stored thereon that, when executed, cause the machine to determine segments using the base level tree when no level shift is required.

28. (Previously Presented) A machine accessible medium as defined in claim 26 having instructions stored thereon that, when executed, cause the machine to determine segments using another level when a level shift is required.

29. (Previously Presented) A machine accessible medium as defined in claim 25 having instructions stored thereon that, when executed, cause the machine to enable up and down shifting between levels of the base precision and the substitute precision by determining at least one segment using the substitute level tree.

30. (Canceled)

31. (Previously Presented) A machine accessible medium as defined in claim 25, wherein the split values are for income and age.

32. (Previously Presented) A machine accessible medium as defined in claim 25 having instructions stored thereon that, when executed, cause the machine to verify the results of a segment determination when using substitute values.

33. (Previously Presented) A method according to claim 1, wherein the base level population segmentation tree is based on at least one of demographic data or behavioral data for a set of consumers.

34. (Previously Presented) A system according to claim 9, wherein the base level population segmentation tree is based on at least one of demographic data or behavioral data for a set of consumers.

35. (Previously Presented) A software system according to claim 17, wherein the base level population segmentation tree is based on at least one of demographic data or behavioral data for a set of consumers.

36. (Previously Presented) A machine accessible medium as defined in claim 25, wherein the base level population segmentation tree is based on at least one of demographic data or behavioral data for a set of consumers.

37. (Currently Amended) A computer implemented method to segment a population comprising:

receiving, [[in]] with a base segmentation tree defining module, a base level data set at a first top level node having a first precision;

defining a first segmentation tree in accordance with the base level data set, the first segmentation tree comprising a plurality of base level variables, each variable associated with a base level sub-node subsequent to the first top level node and having a corresponding base level value;

receiving, [[in]] with a substitute split value determining module, an alternate data set at a second top level node having a second precision different from the first precision of the base level data set;

defining generating a plurality of alternate level variables based on the base level data set at the first top level node and the alternate level data set at the second top level node, each alternate level variable associated with an alternate level sub-node subsequent to the second top level node and having a corresponding alternate level value so that each alternate level value in a second segmentation tree has a percentage split that is equal to each corresponding base level variable in the first segmentation tree to facilitate at least one of upshifting or downshifting relative to the base level data set; and

defining generating [[a]] the second segmentation tree in accordance with the alternate data set, the second segmentation tree comprising the plurality of alternate level variables and corresponding alternate level values representative of the population.

38. (Canceled)

39. (Previously Presented) A method as defined in claim 37, wherein defining the plurality of alternate level variables further comprises calculating the corresponding alternate level value to maintain a similar percentage split between the base level sub-node and the alternate level sub-node.

40-42. (Canceled)